

# CITY OF ANGELS CITY COUNCIL MINUTES

**Tuesday, March 20, 2012**

Council Members Present: Elaine Morris (Mayor), Jack Lynch (Vice Mayor), Stuart Raggio, Roger Neuman and Scott Behiel

Staff Present: Michael McHatten, Richard Matranga, Todd Fordahl, Vanessa Apodaca, Melisa Ralston, Dave Hanham and Mary Kelly

**4:00 p.m. CALL TO ORDER**

## **PLANNING COMMISSION/CITY COUNCIL WORKSHOP**

- Roles and Responsibilities of Planning Commission and City Council
- Purpose and Function of Planning Commission and City Council
- Upcoming Actions which will be before the Planning Commission and City Council
- Brainstorming Session for a better Angels Camp

**Direction:** City Council and Planning Commission to meet twice per year – July and January. Next workshop scheduled for July 17, 2012.

**Direction:** Council to receive all agendas and backup of Planning Commission meetings.

**Direction:** City Staff to develop policy for bringing items to Council and Planning Commission.

**6:00 p.m. REGULAR AGENDA**

## **APPROVAL OF AGENDA**

**MOTION** by Council Member Lynch, seconded by Council Member Raggio and carried 5-0 APPROVING THE AGENDA AS PRESENTED.

## **STAFF UPDATES**

**Todd Fordahl** – Police Chief

- Council Member Lynch said he would be attending the Board of Supervisor meeting when AB109 is discussed.

**Michael McHatten** – City Administrator

- Referred to his consolidated report provided.
- Mandatory walk through for the water master plan on 3/20. Approx. 14 attendees.
- Wastewater Master Plan draft coming to council
- Draft business checklist completed.

**Direction:** Copies of the Water Master Plan RFP and Business Plan to Council Member Lynch.

## **COUNCIL UPDATES**

**Scott Behiel**

- Commented on the good news that there are a few new housing starts in the City.

**Roger Neuman**

- Attended BLT/DAC

### **Jack Lynch**

- Attended museum meeting. The museum will be hosting a lecture at the Sam Choy Building.
- Museum received a donation of \$5,000. and purchased 75 folding chairs/projector and screen.
- Attended Dan Lungren meeting at Frogtown.

### **Elaine Morris**

- Attended CSED meeting. 120 projects have been submitted for 2012/2013 for the 5 counties/7 cities who are members. Projects are related to infrastructure. The City has 5 projects.

## **PUBLIC COMMENTS**

**John Broeder** – 1860 Finnegan Lane

Voiced concerns of vandalism at his property. He called ACPD and Sheriff and although response was quick, it appears nothing could be done.

## **CONSENT AGENDA**

Council Member Lynch pulled items 'd' and 'e' from the consent agenda for discussion.

**MOTION** by Council Member Behiel, seconded by Council Member Neuman and carried ADOPTING THE FOLLOWING CONSENT AGENDA ITEMS:

- a. Approve Minutes of Regular meeting March 6, 2012.  
Approved 4-1 with Council Member Lynch abstaining.
- b. Approval of check register.
- c. Adopt Resolution No. 12-03 Approving Annual Youth Parade

**Consent Agenda Item 'd':** Approve Sewer Repair Project and authorize City Engineer to advertise for bids.

Council Member Lynch asked about the delay in advertising for bids and was told this was standard procedure and there was no delay.

**Consent Agenda Item 'e':** Award electrical and SCADA design contract for Sprayfield Improvement Project – Phase I to Stantec Consulting Services and authorize the City Administrator to execute contract. Council Member Lynch asked if the design drawings were available and was told they are.

**MOTION** by Council Member Raggio, seconded by Council Member Lynch and carried 5-0 ADOPTING CONSENT AGENDA ITEMS 'd' and 'e'.

## **REGULAR MEETING**

### **1. PUBLIC HEARING: UNMET TRANSIT NEEDS**

Amber Collins, Transportation Planner for the CCOG explained the Unmet Needs process. She reported that no action will be taken at this time. This was for public comment only.

**Opened Public Hearing - 6:35 pm**

Mayor Morris asked if there were any persons present who wished to make comments regarding transit needs.

Lloyd Schneider from the Congregation Church said he has noticed the buses are full for the Columbia College route. He hoped there would be expanded service for the future Angels Camp Medical Clinic.

Council Member Lynch voiced concerns of meeting the required 10% farebox recovery. Melissa Eads, Executive Director reported CCOG will be meeting to consider different options. These options will be included in the April CCOG packet.

**Public Hearing Closed – 6:45 pm**

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2. **CALAVERAS COUNTY FAIRGROUNDS UPDATE**

Laurie Giannini, CEO of the fairgrounds reported that the fairground is thriving and provided the Council with an official fair chocolate created by The Chocolate Lady. She invited the Council to the formal opening of the fair on May 17<sup>th</sup>. The fair board would like to recognize the City during this centennial year. It will be on Thursday evening on the Main Stage.

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3. **ADOPT RESOLUTION NO. 12-05 RECOGNIZING AND SUPPORTING DESTINATION ANGELS CAMP CORPORATION AS A NONPROFIT ORGANIZATION SERVING AS AN ECONOMIC DEVELOPMENT CORPORATION FOR ANGELS CAMP**

MOTION by Council Member Behiel, seconded by Council Member Neuman and CARRIED 5-0 ADOPTING RESOLUTION NO.12-05. A RESOLUTION RECOGNIZING AND SUPPORTING DESTINATION ANGELS CAMP AS A NONPROFIT ORGANIZATION SERVING AS AN ECONOMIC DEVELOPMENT CORPORATION FOR ANGELS CAMP.

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4. **PUBLIC HEARING: ADOPT ORDINANCE NO. 452, ADDING CONTROLLED DEBRIS BURNING TO HEALTH & SAFETY CHAPTER IN THE MUNICIPAL CODE**

Nathan Pry, Fire Marshall and Greg Petersen, Fire Chief explained the reasons for requesting this ordinance. One reason stated was the California Fire Code, adopted by the City, states a permit is required for burning. To comply with the code, they are requesting the City adopt this resolution which would require City residents to obtain from the City, at no cost, an annual burning permit. This would bring the City into compliance with the State-mandated code. Without the permit, it was staff's presumption that no open burning would be permitted within the City. Council Member Behiel asked how many burn fires in the City have gone uncontrolled. Nathan explained he did not have that data. Michael McHatten, City Administrator stated that the City is in direct conflict with the State Fire Code and Air Pollution Control. This ordinance would bring the city in line with these agencies. Brian Moss from Air Pollution Control repeated the concerns put forth by City staff.

Tad Folendorf, Angels Camp resident, voiced his disagreement and concerns of requiring a permit to burn stating this would be one more restriction for the City.

Chris Henderson, Angels Camp resident, voiced his support of the ordinance stating it is for the safety of the community.

John Broeder, Angels Camp resident, voiced his opposition to the Ordinance.

Council Member Behiel stated that he would not be supporting this ordinance. Council Member Neuman had some questions regarding banning the use of burn barrels, but said he would be supporting the ordinance.

Council Member Lynch pointed out that the permit states how long it is valid, but this is not mentioned in the ordinance. He suggested this be added to the ordinance wording.

Mayor Morris questioned some wording in the California fire code.

Michael McHatten again stated that the City is in direct conflict with the California Fire Code, creating a liability to ourselves if we do not comply with the code. He said the City Attorney will concur.

Council Member Behiel suggested several changes in the ordinance, including questioning allowing a tenant to have a permit without the property owner's permission.

MOTION by Council Member Lynch, seconded by Council Member Neuman to ADOPT ORDINANCE NO. 452, ADDING CHAPTER 8.44 TO TITLE 8 (HEALTH & SAFETY) OF THE CITY OF ANGELS MUNICIPAL CODE IMPOSING CONTROLLED DEBRIS BURNING.

Vote: 2 Yeas, 3 Nays  
Motion failed due to lack of majority

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**MEETING WAS ADJOURNED AT 8:10 P.M.**

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Elaine Morris  
Mayor

ATTEST:

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Mary Kelly  
City Clerk